

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) A business method comprising:
identifying a compound that is effective as an antibiotic;
determining if bacteria develop resistance to said compound whereby said compound would have decreased market potential because of, at least in part, said resistance;
identifying an achaogen that is capable of decreasing the rate at which said bacteria mutates; and
selling said compound with ~~an~~ said achaogen.
2. (Original) The method as recited in claim 1 further comprising the step of a biopharmaceutical company licensing rights from another organization to said compound.
3. (Original) The method as recited in claim 1 wherein said step of selling further comprises a biopharmaceutical company collecting royalties from a pharmaceutical company that that sells said achaogen with said compound.
4. (Original) The method as recited in claim 1 further comprising the step of collecting fees from a pharmaceutical company that sells said compound with said achaogen.
5. (Original) The method as recited in claim 4 wherein said fees comprise at least one of license fees and milestone fees.
6. (Original) The method as recited in claim 1 wherein a biopharmaceutical company performs experiments to identify said achaogen.

7. (Original) The method as recited in claim 6 wherein said biopharmaceutical company performs said experiments for a pharmaceutical company that has the right to sell said compound.

8. (Original) The method as recited in claim 7 wherein said pharmaceutical company pays research fees to said biopharmaceutical company.

9. (Original) The method as recited in claim 7 wherein said pharmaceutical company pays royalties to said biopharmaceutical company for sales of said compound.

10. (Original) The method as recited in claim 1 wherein
a biopharmaceutical company licenses or acquires said compound from a pharmaceutical company;
said biopharmaceutical company identifies said achaogen for use with said compound.

11. (Currently Amended) The method as recited in claim ~~1-9~~ 10 wherein said biopharmaceutical company sells said achaogen and said compound.

12. (Original) The method as recited in claim 10 wherein said biopharmaceutical company licenses a selling company to sell said compound with said achaogen.

13. (Original) The method as recited 10 wherein said compound is a preclinical compound.

14. (Original) The method as recited in claim 10 wherein said compound is a compound in clinical trials at the time said biotechnology company licenses said a compound.

15. (Original) The method as recited in claim 10 wherein said compound is a marketed compound.

16. (Original) The method as recited in claim 1 wherein said compound is off patent.

17. (Original) The method as recited in claim 1 or 14 further comprising the step of patenting a new combination of an achaogen and said compound.

18. (Original) The method as recited in claim 10 wherein said biopharmaceutical company contracts for sale of said compound by a sales company.

19. (Original) The method as recited in claim 1 wherein
a biopharmaceutical company licenses said compound from a pharmaceutical company;
said biopharmaceutical company identifies said achaogen for use with said compound; and
said biopharmaceutical company licenses said pharmaceutical company to use said compound with said achaogen.

20. (Currently Amended) The method as recited in claim 6 ~~further comprising wherein identifying said achaogen comprises the steps of:~~

(a) contacting a bacterial cells with the antibiotic and a test compound;
(b) determining the number of mutations per bacterial cell in the presence of the test compound and antibiotic and the number of mutations per bacterial cell without said test compound; and

(c) comparing the number of bacterial mutations in step (b); wherein a decrease in the number of mutations in the presence of the test compound indicates achaogenic activity of the test compound.

21. (Currently Amended) The method of claim 1 wherein the ~~achaogen~~ achaogen modulates the activity of one or more genes selected from the group consisting of PolB, DinB, UmuDC, and LexA.

22. (Currently Amended) The method of claim 1 wherein the ~~achaogen~~ achaogen is an antibody or a fragments of said antibody, capable of binding to a protein encoded by a gene selected from the group consisting of PolB, DinB, UmuDC, and LexA. ~~The method of claim 6, wherein the achaogen is a small molecule, capable of inactivating one or more genes selected from the group consisting of PolB, DinB, UmuDC, and LexA.~~

23. (Currently Amended) The method of claim 1 wherein the ~~achaogen~~ achaogen is a small molecule capable of binding to a protein encoded by a gene selected from the group consisting of PolB, DinB, UmuDC, and LexA.

24. (Original) The method as recited in claim 1 wherein said compound is off patent.

25. (Original) The method as recited in claim 1, 10, 19, or 24 further comprising the step of patenting use of said achaogen with said compound.

26. (New) The method of claim 6, wherein the achaogen is a small molecule capable of inactivating one or more genes selected from the group consisting of PolB, DinB, UmuDC, and LexA.